

**3540.0500 TERMINATION OF ELIGIBILITY.**

Whenever the department receives information regarding improper use of eligible materials loaned under the program, it must provide prompt written notification to the student, the student's parents or guardians, and the nonpublic school administrator of the alleged program abuse, and allow 30 calendar days from the date of mailing for written or oral response.

Following receipt of responses during the 30-day period, if it appears that materials may have been used contrary to law, the department must institute Minnesota Statutes, chapter 14, contested case procedures. After due consideration of all evidence presented pursuant to those procedures, if the department determines that the materials have been used contrary to law, the department must notify the student, the student's parents or guardians, nonpublic school administrator, and the public school district or intermediary service area that the eligibility of the student for all materials during the current school year is terminated, and the allocation for the current year for the nonpublic school must be reduced accordingly.

**Statutory Authority:** *MS s 14.388; 123.933*

**History:** *26 SR 1716*

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